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C O N F I D E N T I A L KIGALI 000801

SIPDIS

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SUBJECT: RWANDA ON ARREST OF OFFICIAL, SITUATION IN CONGO

REF: KIGALI 796

Classified By: DCM Cheryl Sim, Reason 1.4 (b) (d)

¶1. (SBU) Foreign Minister Rosemary Museminali addressed the Kigali diplomatic corps on November 13 on the arrest in Germany of Rose Kabuye (reftel), Chief of Presidential Protocol, and on the situation in the DRC and prospects for progress in peacemaking. On Rose Kabuye, Museminali, assisted by Justice Minister Tharcisse Karugarama, stated Rwanda firmly believed that Kabuye had been acting in her official capacity in advancing a working visit by President Kagame and as such was entitled to diplomatic immunity from the French arrest warrants. On that basis, Rwanda had proceeded to send Kabuye to Germany, despite notice from the German government that Kabuye faced possible arrest. While Rwanda remained a supporter of universal jurisdiction, it believed those warrants and the underlying indictments were terribly flawed, and based upon unsubstantiated and fallacious testimony of biased witnesses.

¶2. (SBU) Following the arrest of Kabuye, said Museminali, Rwanda had "asked" the German ambassador to leave Rwanda temporarily, and had recalled its own ambassador. However, she noted, President Kagame had gone forward with his visit to Germany and had productive meetings. The German embassy and German aid organizations in Rwanda remained open for business. Rwanda would continue to contest the warrants in various legal fora, and marshal international opinion on its side (citing supportive statements by the African Union and the International Conference on the Great Lakes, among others). Rwanda believed that the European Union should consider a regulatory mechanism for warrants such as those issued by France, issued by individual judges rather than international bodies, particularly when such warrants concerned senior government officials of independent countries. Museminali noted the irony of Kabuye's arrest, a former soldier who had helped end the 1994 genocide, on the 70th anniversary of Kristallnacht. She noted as well the release by the German government, just days before Kabuye's arrest, of two genocide suspects sought by Rwanda, as well as the continued residence in Germany of the leader of the Democratic Force for the Liberation of Rwanda (FDLR), the successor organization to the genocidal militias and military who had carried out the 1994 genocide.

¶3. (SBU) On the Democratic Republic of the Congo (DRC), Museminali and Great Lakes Envoy Joseph Mutaboba previewed the arrival of a Congolese delegation led by Foreign Minister Mwamba to Kigali on November 14 to continue discussions on the eastern DRC and bilateral relations. They assured those

in attendance that Rwanda continued to support international efforts to aid the DRC in surmounting its internal problems, and noted the recent Nairobi Summit Joint Statement calling for an immediate cease-fire in eastern DRC, establishment of humanitarian corridors, and the swift implementation of existing agreements, particularly the Nairobi Communique and the Goma Agreement. Commenting on Rwanda's disappointment with the DRC's decision not to attend the now-postponed Tripartite-Plus Commission sessions in Kigali, Museminali said Rwanda remained convinced of the importance of the said Rwanda remained convinced of the importance of the Tripartite-Plus process and the holding of meetings in the near future. Mutually-convenient dates would be discussed with the DRC delegation, she said. Mutaboba emphasized the "chain" of agreements that remained unimplemented, and asserted that since Rwanda's withdrawal from the DRC in 2002, not a single Rwandan soldier had set foot in the Congo.

14. (C) Comment. The GOR expressed its stiff opposition to the German decision to arrest Rose Kabuye, while also signaling its continued interest in productive relations with Germany. On the Congo, it is heartening that the GOR has decided not to let Kabuye's arrest serve as a distratction from the region's key security challenge in the eastern Congo. The GOR's welcoming of continued discussions with the GDRC, and its eagerness to see international fora, such as the Tripartite-Plus process move forward are positive signs that Rwanda is interested in maintaining important channels of communication with the DRC. End comment.

SYMINGTON